IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(Crl.).No. 6 of 2007(S)

PETITIONER:

K.KUTTAPPAN, THULASIMANDIRAM,
IRANIKUDY P.O., PANDALAM.

BY ADV. SRI.M.S.UNNIKRISHNAN
SMT.S.KARTHIKA
SMT.K.P.GEETHA MANI
SRI.T.R.RAJESH
SRI.M.R.ANISON

RESPONDENTS:
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1. THE DEPUTY SUPERINTENDENT OF POLICE,
THODUPUZHA.

2. S.H.HOSPITAL, PARAPAINKULAM,
THODUPUZHA, REP. BY ITS DIRECTOR.

3. M.PUSHPAVALLY, NELLI PALLIL VEEDU,
THAZHAMEL, ANCHAL P.O., KOLLAM.

BY ADV. SRI.MANOJ RAMASWAMY FOR R2
SRI.MATHEW JOHN (K) FOR R2
SRI.SUJESH MENON V.B.
GOVT.PLEADER SRI.BASANT BALAJI

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.)No.6 OF 2007

Dated 12th March, 2007

JUDGMENT

Koshy,J.

The alleged detenue was present with the father. She stated that she wants to go with the father. Father stated that he is a retired military personnel and if there is any problem to the girl, required medical treatment will be given at the military hospital whenever necessary. At present she has no problem. We have questioned the alleged detenue also and she appears to be having no problem. Therefore, the habeas corpus petition is allowed and the alleged detenue is allowed to go with the father.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

tks

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.)No.6 OF 2007

Dated 30th January, 2007

ORDER

Koshy,J.

The alleged detenue was produced. Second respondent Sacred Heart Hospital issued a certificate stating that the alleged detenue was under treatment for Chronic Schizophrenia and she has improved her conditions to some extent, but, not yet fit for discharge. Petitioner, father of the alleged detenue, submitted that he will look after her. According to the alleged detenue, she is not suffering from any disease. She answered questions correctly. On the undertaking that the father will produce her after two weeks and she will be under the observation of a Psychiatrist till then, the case is adjourned to 12.2.2007. Before that she should be examined by the Psychiatrist, General Hospital, Ernakulam and a certificate should be produced.

Post on 12.2.2007. The detenue shall be produced on that day along with the certificate of Psychiatrist.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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